

Appl. No.: 10/534,186  
Amdt. Dated: June 9, 2009  
Reply to Office Action of March 11, 2009

### **REMARKS**

Claims 1 – 7, 9, 11, 12, 15 and 16 were previously pending in the present application. No claims have been added, while Claims 9 and 11 have been cancelled by this paper, leaving Claims 1 – 7, 12, 15 and 16 pending and at issue. Applicants respectfully request reconsideration of the current rejections of the claims in view of the following arguments.

#### **Amendments:**

Claim 1 has been amended to more explicitly state the “vehicle driving system” as an element of the invention. The present Office Action has discounted this feature as not being claimed. Accordingly, the present amendment makes it abundantly clear that the claimed invention includes the vehicle driving system. Applicant contends that such a limitation was implicit in the previous wording of the claim and, therefore, no new matter has been added with this amendment.

Further, the limitations of previously dependent Claims 9 and 11 have also been added. Specifically, the first winding voltage limitation has been amended from “lower than 380 volts” to be within “the interval of 6 to 50 volts”, while the second winding voltage limitation has been amended from “higher than 380 volts” to be within “the interval of 1 to 24 kV.” Claims 9 and 11 have now been cancelled. No new matter has been added.

#### **Rejections:**

Of the remaining claims, Claims 1 – 4 and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,753,619 to Stevenson et al. (hereafter “Stevenson”) in view of U.S. Published Application No. 2002/0060505 to Kawamura (hereafter “Kawamura”). Stevenson and Kawamura form the primary combination for all rejections. Claim 5 – 7, 15 and 16 stand rejected under 103(a) as set forth above, but in further view of at

Appl. No.: 10/534,186  
Amdt. Dated: June 9, 2009  
Reply to Office Action of March 11, 2009

least one of the following references: U.S. Patent No. 4,163,915 to Fong, U.S. Patent No. 6,172,435 to Tanaka, U.S. Patent No. 5,739,609 to Ueyama et al., U.S. Patent No. 6,163,097 to Smith et al., and Published International Application No. WO 97/45935 to Jeijon.

Applicants contend the rejections are based upon a misunderstanding of the present claims and/or a mischaracterization of the cited references. Accordingly, reconsideration of the pending claims is respectfully requested.

**Cited References:**

The disclosure and teaching of Stevenson is much like that of the previously overcome reference to U.S. Patent No. 6,069,424 to Colello et al. (hereafter "Colello"). As the Examiner has obviously acquiesced in the arguments to distinguish over Colello, such arguments should be equally applicable in distinguishing over Stevenson. Stevenson is the primary reference employed in the current rejection. Therefore, in overcoming Stevenson, all Claims should be in condition for allowance.

As discussed throughout the specification and recited in Claim 1, the present concept is directed to the synergistic effects achieved for a power system in combination with a vehicle driving system. For example, the synergistic effect results in a system where the flywheel can be energized and de-energized with high efficiency when high power supply is available and when high power is required, respectively, such as for heavy braking and acceleration. Additionally, the system permits the flywheel to be energized and de-energized with high efficiency when low power supply is available and when low power is required, such as for charging and discharging the battery. There is nothing in either Stevenson or Kawamura to suggest such synergistic results. Therefore, one skilled in the art would not (1) combine the references as suggested by

Appl. No.: 10/534,186  
Amdt. Dated: June 9, 2009  
Reply to Office Action of March 11, 2009

the Office Action, and (2) achieve the claimed invention, even if the two suggested references were combined.

As to the first point, Kawamura is directed to a generator suitable for relatively lower voltage ranges, such as 12-24V and 100-200V. Such voltage levels would be suitable for powering vehicle appliances, such as the automatic electronic equipment and auxiliaries in the vehicle at a lower to moderate voltage. The generator in Kawamura would not be suitable for powering a flywheel at the high voltage levels necessary in the system.

Additionally, Kawamura is directed to a device designed to operate solely as a generator. Thus, the generator in Kawamura is not suitable to energize and de-energize a flywheel at any voltage, let alone at the high voltage, as necessary. Therefore, the combination of Kawamura with Stevenson would not be made by any person of ordinary skill in the art. To contend otherwise is counter to the teaching of the two references and is simply without merit.

Moreover, as to Applicant's second point, the proposed combination would not result in the claimed features recited in Claim 1, as suggested by the Office Action. The cited references do not disclose nor render obvious each and every element of the claimed invention as required. In view of the above, the rejection of Claim 1 should be withdrawn and the claims allowed.

Claims 2 – 7, 15 and 16 depend from and add additional features to that of independent Claim 1. As discussed above, each of Stevenson and Kawamura, taken alone or in combination, fails to disclose or suggest the features recited in independent Claim 1. The remaining cited references fail to overcome the deficiencies found in both Stevenson and Kawamura. Therefore, the rejections of Claims 2 – 7, 15 and 16 should be withdrawn and the claims allowed.

Appl. No.: 10/534,186  
Amdt. Dated: June 9, 2009  
Reply to Office Action of March 11, 2009

Reconsideration of the rejections, in light of the aforesaid remarks, is respectively requested. Applicant contends that all pending claims of the present application are in proper condition for allowance.

Appl. No.: 10/534,186  
Amdt. Dated: June 9, 2009  
Reply to Office Action of March 11, 2009

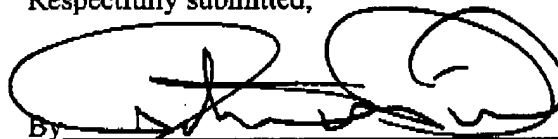
RECEIVED  
CENTRAL FAX CENTER  
JUN 09 2009

CONCLUSION

Claims 1 - 7, 12, 15 and 16 pending and at issue in the present application. Claim 1 has been amended to more clearly distinguish over the cited art and to make explicit that which was implicit. Applicants contend that all claims remaining are now in condition for allowance.

Should any formalities remain which can be corrected by Examiner's amendment, Applicants request that the undersigned be contacted by phone in order to expedite the prosecution of the present case.

Respectfully submitted,



By

Robert W. Diehl  
PTO Reg. No. 35,118  
Seyfarth Shaw LLP  
Attorneys for Assignee  
131 South Dearborn Street  
Suite 2400  
Chicago, Illinois 60603-5577  
312-460-5000  
312-460-7000 (fax)